IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.911 OF 2007
IN
CRIMINAL APPEAL NO.944 OF 2004

WITH
CRIMINAL APPEAL NO.944 OF 2004

Imran Mehandi alias Dilawar Nasir Shaikh. ..Applicant.

Versus

The State of Maharashtra. ..Respondent.

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Mr.Kuldeep S. Patil, Adv. for the Applicant.
Mr.P.A.Pol, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : SEPTEMBER 05, 2007.
(IN CHAMBER, 5:00 P.M.)

P.C.:

1. Heard the learned Advocate for the applicant and the learned APP for the State.

2. The applicant has been convicted under Sections 3(1)(ii) and 3(4) of the MCOC Act in MCOC Special Case No.10-A/2000 along with MCOC Special Case No.13/2002. He has also been convicted under various sections of IPC. The maximum sentence imposed on the applicant is R.I. for seven years and fine of Rs.5 Lakh.

3. The applicant had preferred application for bail which came to be rejected by order dated 22nd February, 2007. However, as the applicant had undergone a major part of his imprisonment the Appeal was expedited and liberty was granted to the applicant to prepare paper-book privately at his own costs. It was directed that as soon as the paper-book was ready, appeal be listed for final hearing. Accordingly, the appeal was listed for final hearing in the month of April, 2007, but, it has not yet reached for final hearing. Hence, the applicant has preferred this fresh application for bail on the ground that he has been in custody for over five years out of seven years of imprisonment which he has to undergo.

4. Looking to the evidence in this case I am not inclined to grant bail to the applicant, at this stage. Application for bail is rejected. However, looking to the fact that the paper-book is ready and as the applicant has been in custody for over five years out of seven years imprisonment, Criminal Appeal No.944 of 2004 be fixed for final hearing on 10th September, 2007.

(SMT.V.K.TAHILRAMANI,J.)